

Ordinances and Administration Committee

Monday, June 17, 2013 – 6:00PM

1st Fl. Council Committee Rm. – City Hall**-Minutes-****Present: Councilor Romeo-Theken, Chair; Councilor Whyntott, Vice Chair; Councilor LeBlanc****Absent: None.****Also Present: Councilor Hardy; Councilor McGeary; Linda T. Lowe; Suzanne Egan.****The meeting was called to order at 6:04 PM. Quorum was reached at opening of meeting. Agenda items were taken out of order. Recess at 8:04 PM return to session at 8:08 PM.****1. Continued Business-All Items from 06/03/13 O&A Regularly Scheduled Meeting:**

A) CC2013-017 (Verga) Amend GCO Chapter 21, Article IV (Repair of Private Ways) Sections, 21-81 through 21-85 to add specific standards on what the City should require for the level of design, amount of work, and allocation of funds for permanent repairs to private ways (Cont'd from 06/03/13)

Suzanne Egan, City Solicitor, stated that she discussed with Mr. Hale what the best strategy is for addressing improvements to private roads. Mr. Hale suggested having Paul Keane, City Engineer, review the standards and specifications and propose changes to the ordinance. Mr. Keane has provided some draft revisions that he provided to the O&A Committee. **Councilor McGeary** offered to continue working with Mr. Keane to make sure that both the process needs and engineering needs are met in updating this language. One such change recommended by Councilor McGeary is allowing for persons who are willing, to pay for the entire cost of a private road to be paved versus the 50% provided in the ordinance. There was discussion regarding the language around obtaining estimates for work. **Ms. Egan** stated that Mr. Keane addressed the need for abutters to pay for plans and estimates. **Mr. McGeary** stated that there may be reasons internal to the DPW that they would like to specify the abutters pay. **Ms. Egan** stated that Mr. Keane requested an additional 45 days to work on this matter. **Ms. Lowe** stated that she has, at the request of the O&A Committee, provided a revision of Section 21-84 and 21-85 that reordered parts of the ordinance in order to make it more clear, but did not change the substance of the ordinance.

This matter is continued to August 5, 2013.

B) CC2012-040 (Hardy/Tobey/Theken/Cox/LeBlanc) Amend GCO Chapter 17, Art. II Police, Art. II Police Department, Sections 17-16, 17-17 & 17-18 (Cont'd from 06/03/13)

Ms. Egan stated that she met with various relevant City officials to discuss the changes to these ordinances. She has made changes to Article 17-16 (a) concerning the Police Chief, so that the term of office is consistent with the contract as stated in Article 17-18. This contract is subject for renewal upon its expiration. **Councilor Hardy** asked if a five year contract could be established for the Chief's first term of service. **Ms. Egan** concurred and added that in 17-18 the language already existed to say the term was set for a minimum of 3 years but no more than 5. **Councilor LeBlanc** clarified that when the contract expires the Mayor will have to come before the City Council for approval of a new contract. There was further discussion regarding the length of the contract and the term. **Councilor McGeary** stated that the Committee should be reviewing the current Chief's contract along with this ordinance to verify language. **Councilor Romeo-Theken** stated the contract and term of office should be one and the same. **Ms. Egan** stated that these changes are seeking to make them more closely related. **Ms. Egan** stated that upon its expiration, the contract needs to be renewed but the two one year renewals could be treated as reappointments. At the end of the three years the contract can be renegotiated. Once the contract is renewed it can be done for five years. **Councilor LeBlanc** asked if there is a new Mayor who does not want to renew the current Chief's contract, would we then have to go through the entire hiring process again. **Ms. Egan** stated that yes that would be the case.

Ms. Egan stated that in Article 17-17 she has added "or equivalent qualifications" in the first line to provide more flexibility. She also added "or its equivalent" throughout Article 17-17 (c). She stated that it had been suggested to change the graduate degree requirement to a bachelor's, but in talking with the current Police Chief she learned that a graduate degree is the industry standard. **Councilor Romeo-Theken** stated that having the addition of 17-17 (b) without further qualifiers leaves it open to too much interpretation. **Ms. Egan** stated that those concerns are addressed in 17-17 (c).

Councilor Whynott stated that when discussing a candidate's experience it should include a qualifier regarding the police force and communities previously served. **Ms. Egan** stated that those suggestions have been included in 17-17 C, 1 and 3. **Councilor McGeary** stated that it is sometimes important to leave yourself flexibility in the candidates and if you are overly specific you may lose out on excellent candidates. **Councilor Romeo-Theken** stated that some of the phrasing is still too open for interpretation, such as "related experience". There was discussion regarding whether or not to specify what type of related experience. It was decided to adjust the phrasing of 17-17 (b) to state: "or related experience in the Law Enforcement area". **Councilor McGeary** stated that language could also be included to allow the City Council to suggest someone who does not specifically meet all of these requirements if they provide a written explanation.

Ms. Egan stated that "selection committee" was changed to "screening committee". After speaking with the Personnel Director it was decided to remove the two union members from the screening committee in order to prevent any ethics conflicts. She added that meetings of the screening committee meetings are subject to the open meeting law because it is a committee created by ordinance. **Councilor Hardy** and **Councilor Whynott** expressed concern that votes by the screening committee must be by a majority of the committee although the committee may meet with less than a quorum, so Sections 7-18 and 8-18 should be revised accordingly. **Councilor McGeary** stated that the last time this committee met they voted to go into executive session in order to maintain the privacy of names of applicants until the final rounds of applicants were suggested. He suggested changing the language to allow for the screening committee to establish its own officers. There was further discussion regarding changes to be made to the membership. There was discussion regarding who should select the recruitment and assessment consultant and what specifications should be including in the RFP.

Ms. Egan stated that some of the language changes were done to provide some fluidity within the ordinance and leave more room for discretion on the part of the screening committee. **Councilor Hardy** stated that the deletion of article 17-24 should be taken as a separate motion.

Note: The ordinance with all suggested changes is attached to these minutes. Changes are made from the June 14, 2013 revision which Ms. Egan provided to the O&A Committee.

This matter is continued to July 15, 2013.

C) CC2012-039 (Hardy/Tobey/Theken/Cox/LeBlanc) Amend GCO Chapter 8, Art. II Fire, Art. II Fire Department, Sections 8-16, 8-17 & 8-18 (Cont'd from 06/03/13)

Ms. Egan suggested making the same changes to GCO Chapter 8, Art. II Fire, Art. II Fire Department, Sections 8-16, 8-17 & 8-18 as were made to GCO Chapter 17, Art. II Police, Art. II Police Department, Sections 17-16, 17-17 & 17-18, as the language of the two Chief Selection ordinances is essentially the same.

This matter is continued to July 15, 2013.

D) CC2013-019 (LeBlanc) Amend GCO Chapter 22, Sec. 22-287 (Disabled Veteran, handicapped parking) Re: Middle Street #15

This matter was withdrawn per the request of Councilor LeBlanc and the Committee will so report to the Council.

2. New Appointment & Reappointments:

Committee for the Arts

TTE 02/14/17 Robert Haverkamp (TBC 7/15/13)

Mr. Haverkamp will appear before the Committee at their July 15, 2013 regularly scheduled meeting.

Magnolia Woods Oversight & Advisory Committee

TTE 02/14/16

Jane B. Porter & James Cook

Councilor Romeo-Theken noted that both Jane Porter and James Cook are noted for their dedication to Magnolia Woods, so there was no need for them to appear before the Committee.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Jane B. Porter to the Magnolia Woods Oversight & Advisory Committee, TTE 02/14/16.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint James Cook to the Magnolia Woods Oversight & Advisory Committee, TTE 02/14/16.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:20 PM.

**Respectfully submitted,
Jaimie Corliss
Principal Clerk**

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **None.**